

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MIRANDA JEAN BENNETT-MORALES,

Plaintiff,

-v-

No. 14-cv-5852-LTS-FM

CITY OF NEW YORK, et al.,

Defendants.

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ORDER

By letter dated January 5, 2016, Michael Manoussos, Esq., counsel for Miranda Jean Bennett-Morales, one of the two plaintiffs in this action, alleged that her prior counsel, Michael Colihan, Esq., had falsely represented to Joseph Gutmann, the Assistant Corporation Counsel assigned to this civil rights matter, that Ms. Bennett-Morales had accepted the defendants’ “settlement” offer. (Docket Entry No. 100.) Magistrate Judge Frank Maas thereafter directed that an evidentiary hearing be held on March 18, 2016, and that Messrs. Colihan and Guttman and Ms. Bennett-Morales attend the hearing. (See Docket Entry Nos. 103, 105.) Following that hearing, on September 22, 2016, Magistrate Judge Maas issued a Report and Recommendation to this Court (the “Report”), recommending that the letter application be denied. (See Docket Entry No. 114.) On September 27, 2016, Mr. Manoussos informed the Court that Ms. Bennett-Morales will not be objecting to the Report. (See Docket Entry No. 116.) No objections to the Report have been filed by either party.

When reviewing a report and recommendation, the Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C.S. § 636(b)(1) (C) (LexisNexis 2016). “To accept the report and recommendation of a

magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” Wilds v. United Parcel Service, Inc., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (internal citations and quotation marks omitted).

Having reviewed Magistrate Judge Maas’ well-reasoned Report, to which no objection has been made, the Court finds no clear error. Therefore, the Court adopts the Report in its entirety. Accordingly, Ms. Bennett-Morales’ letter application to reopen this case is denied, and the Office of Corporation Counsel is directed to promptly tender the settlement payment to Ms. Bennett-Morales. This Order resolves docket entry number 100.

SO ORDERED.

Dated: New York, New York  
September 30, 2016

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge